

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

Gillman & Gillman, LLC  
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Attorney for the Debtor(s)

By: Justin M. Gillman, Esq.

In Re:

David Racioppi

Case No.: 16-17897

Judge: MBK

Chapter: 13

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION**

The debtor in this case opposes the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by \_\_\_\_\_, creditor,

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☒ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for February 20, 2018, at 10:00 a.m..

- ☐ Certification of Default filed by \_\_\_\_\_,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

- ☒ Payments have been made in the amount of \$ 292.00, but have not been accounted for. Documentation in support is attached.

☒ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

Debtor to bring Trustee payments current. Debtor filing a Modified Plan to address mortgage arrears.

☐ Other (**explain your answer**):

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: 2/12/2018

/s/ David Racioppi  
Debtor's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor's Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.